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2 HONORABLE RICHARD A. JONES  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

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9 CURTIS ROOKAIRD,

10 Plaintiff,

11 v.

12 BNSF RAILWAY COMPANY,  
a Delaware Corporation,

13 Defendant

14 Court File No.: 14-CV000176-RAJ

15  
16 **PLAINTIFF'S MOTION FOR  
SUBSTITUTION OF PLAINTIFF  
PURSUANT TO FED. R. CIV. P.  
25(a)(1)**

17 PLEASE TAKE NOTICE that on a date and time to be determined to place before the  
Honorable Richard Jones, or as soon thereafter as counsel can be heard, Plaintiff does hereby  
move this Court, pursuant to Fed. R. Civ. P. 25(a)(1) for an Order allowing the action to be  
continued by Paul W. Parker, individually as Personal Representative for the Estate of Curtis  
John Rookaird. This motion will be made on the ground that Curtis Rookaird, Plaintiff in the  
above-entitled action, has died and on the ground that Paul W. Parker is the proper party as  
Personal Representative of the Estate of Curtis John Rookaird.

1 This motion is based upon this notice, the attached Declaration of William G. Jungbauer  
2 and Exhibits attached thereto, concurrently filed and served herewith and upon such oral and  
3 documentary evidence as may be presented to the Court at the time of the hearing.

4 Respectfully Submitted,

5 Dated: September 27, 2021

YAEGER & JUNGBAUER BARRISTERS, PLC

6 By \_\_\_\_\_  
7

8 William G. Jungbauer, admitted *pro hac vice*  
9 Michael P. McReynolds, admitted *pro hac vice*  
10 4601 Weston Woods Way  
11 Saint Paul, MN 55127  
12 Telephone: (651) 288-9500  
[wjungbauer@yjblaw.com](mailto:wjungbauer@yjblaw.com)  
[mmcreynolds@yjblaw.com](mailto:mmcreynolds@yjblaw.com)

13 -and-

14 Bradley K. Crosta, WSBA #10571  
15 CROSTA LAW OFFICE, PLLC  
16 19743 1st Avenue South  
17 Normandy Park, WA, 98148  
Telephone: (206) 623-9400  
[bcrosta@crostalaw.com](mailto:bcrosta@crostalaw.com)

18 *Attorneys for Plaintiff Curtis Rookaird*

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2                   **DECLARATION OF SERVICE**  
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7  
8 I certify under penalty of perjury under the laws of the State of Washington, the State  
9 of Minnesota, and the United States of America that on September 27, 2021, I electronically  
10 filed the foregoing documents with the Clerk of the Court using the CM/ECF system that will  
11 send notification of such filing to the following counsel:  
12  
13

14 Timothy D. Wackerbarth  
15 LANE POWELL  
16 1420 Fifth Avenue, Suite 4200  
17 Seattle, WA 98111-9402  
18 E-Mail: [wackerbarth@lanepowell.com](mailto:wackerbarth@lanepowell.com)  
19 Counsel for Defendant BNSF Railway Company  
20

21 Keith Goman, admitted pro hac vice  
22 HALL & EVANS LLC  
23 1001 17th Street; Suite 300  
24 Denver, CO 80202  
25 Email: [gomank@hallevans.com](mailto:gomank@hallevans.com)  
26 Counsel for Defendant BNSF Railway Company  
27

28 Bradley K. Crosta  
CROSTA LAW OFFICE, PLLC  
19743 1st Avenue South  
Normandy Park, WA, 98148  
E-Mail: [bcrosta@crostalaw.com](mailto:bcrosta@crostalaw.com)  
Local Counsel for Plaintiff  
29

30 Date: 9/27/2021

31   
32 Roxanne Russell  
33  
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2                   **DECLARATION OF SERVICE**  
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5                   I further certify under penalty of perjury under the laws of the State of Washington, the  
6                   State of Minnesota, and the United States of America that on September 27, 2021, I served a  
7                   copy of the electronically filed foregoing documents with the following by electronic mail and  
8                   US Mail:

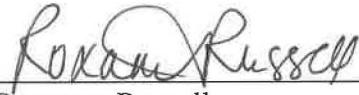
9                   James A. Jackson  
10                  KETTER SHEPPARD & JACKSON, LLP  
11                  50 – 116<sup>th</sup> Avenue SE – Suite 201  
12                  Bellevue, WA 98004  
13                  Email: [jjackson@sksp.com](mailto:jjackson@sksp.com)  
14                  Agent for Service of Process for  
15                  Paul Parker, Personal Representative

16                  Paul W. Parker  
17                  3325 Sierra Circle  
18                  Rock Springs, WY 82901  
19                  Email: [Parkern4@comcast.net](mailto:Parkern4@comcast.net)  
20                  Personal Representative

21                  Kelly Rookaird  
22                  6808 Shady Grove Place  
23                  Arlington, WA 98223  
24                  Email: [rookairdkelly@gmail.com](mailto:rookairdkelly@gmail.com)

25                  Larry Dolan  
26                  Snohomish County Clerk's Office  
27                  3000 Rockefeller Avenue, M/S 605  
28                  Everett, WA 98201  
29                  Email: unknown  
30                  Guardian ad Litem, minor Rookaird children

31                  Date: 9/27/2021

32                    
33                  Roxanne Russell